

AFT/DFW/

**RESPONSE UNDER
37 C.F.R. §1.116
EXPEDITED PROCEDURE
GROUP ART UNIT 1644**

Dkt No. 2251/75190/JPW/BJA/CSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stan Gronthos et al.

Serial No. : 10/551,162 Group Art Unit: 1644

Filed : March 29, 2004 Examiner: Michail A.
Belyavskyi

Title : PERIVASCULAR MESENCHYMAL PRECURSOR CELLS

30 Rockefeller Plaza, 20th Fl.
New York, NY 10112
December 22, 2009

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL FROM THE EXAMINER'S DECISION TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed June 22, 2009 finally rejecting pending claims 68-81 in the above-identified application.

Applicants are concurrently filing a Petition for Three-Month Extension of Time. Accordingly, this Notice of Appeal is being timely filed.

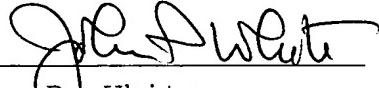
The required fee set forth in 37 C.F.R. §1.17(b) for filing a Notice of Appeal for a small entity is TWO HUNDRED AND SEVENTY DOLLARS (\$270.00) and authorization is hereby given to charge this amount to Deposit Account No. 03-3125.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

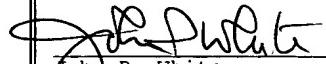
No fee, other than the enclosed \$270.00 fee, is deemed necessary in connection with the filing of this Notice of Appeal. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Mail Stop AF, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450.



John P. White
Reg. No. 28,678

12/22/09
Date